

YONATAN HOLZ  
JOE HOLCOMBE vs UNITED STATES

December 13, 2019

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1 IN THE UNITED STATES DISTRICT FOR  
2 THE WESTERN DISTRICT OF TEXAS  
3 SAN ANTONIO DIVISION

4 JOE HOLCOMBE, et al., :  
5 :  
6 Plaintiffs, :  
7 :  
8 v. :No:  
9 :5:18-CV-00555-XR  
10 UNITED STATES OF :  
11 AMERICA, :  
12 :  
13 Defendant. :

14 VIDEOTAPED DEPOSITION OF  
15 YONATAN HOLZ

16 Friday, December 13, 2019  
17 10:27 a.m.

18 United States Attorney's Office  
19 United States Department of Justice  
20 175 N Street, Northeast  
21 Three Constitution Square  
22 Washington, D.C.

Noojan Ettehad, Videographer  
Terry L. Bradley, Court Reporter



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1 stationed at Holloman Air Force Base in New  
2 Mexico.

3 Q. Okay. How long were you at Holloman  
4 Air Force Base? Beginning to end.

5 A. From approximately July 2010 'til  
6 about September 2012.

7 Q. And I know during that timeframe you  
8 were also deployed to Afghanistan between 2010  
9 and 2012. Is that right?

10 A. Correct.

11 Q. Can you tell me what timeframe you  
12 were in Afghanistan?

13 A. From --

14 Without having the dates in front of  
15 me, approximately July 2011 to February 2012.

16 Q. Okay. What was you --

17 What were you doing in your  
18 deployment in Afghanistan?

19 A. I was a Counterthreat Operations  
20 Agent.

21 Q. Counterthreat?

22 A. Yes. We were running



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1 counterterrorist operations in the Kandahar  
2 region.

3 Q. So you were working counterterror --  
4 -- terrorism in Kandahar region?

5 A. Correct.

6 Q. Were you doing that the whole time  
7 you were in Afghanistan?

8 A. Yes.

9 Q. Okay. Thank you for your service by  
10 the way. I don't think I mentioned that.

11 A. Yep.

12 Q. I always like to --  
13 I appreciate your service --

14 A. Yep.

15 Q. -- in the military?

16 A. You're welcome. My pleasure.

17 Q. Prior to July 2010 --

18 A. Uh-huh.

19 Q. -- what were you doing for the --

20 Were you still in the military?

21 A. I was in the military. I was going  
22 to --



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1 I was at the --

2 Immediately prior to New Mexico I

3 was going through Noncommissioned Officers

4 Management --

5 -- Management Training Course at my

6 prior base, Seymour Johnson Air Force Base,

7 North Carolina. And prior to that I was at the

8 Federal Law Enforcement Training Center in

9 Brunswick, Georgia from approximately

10 December 2009 to May 2010.

11 Q. The Federal Law --

12 That's F-L-E-T-C. That's the --

13 A. F-L-E-T-C.

14 Q. -- acronym.

15 A. Yes. F-L-E-T-C.

16 Q. And you all refer to it as FLETC?

17 A. Correct.

18 Q. Okay. Your management training in

19 North Carolina at the Air Force Base, where

20 was --

21 -- what timeframe was that

22 approximately?



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1 -- that I can recollect seeing a  
2 PowerPoint presentation or receiving formalized  
3 training on it.

4 BY MR. ALSAFFAR:

5 Q. When you say on it, you mean that  
6 was the first time you can recall in 2017  
7 receiving training from the Air Force on how  
8 and when to submit fingerprints to the FBI CJIS  
9 Division?

10 A. Again, that's my earliest recoll --  
11 -- my latest recollection of it.

12 Q. Okay. And when you were --  
13 Let me just first get you on --

14 I don't think I asked this  
15 specifically: When you were at Holloman Air  
16 Force Base you were specifically involved as a  
17 Special Agent Investigator in the Devin Kelley  
18 case, correct?

19 A. Yes.

20 Q. And that was 2011/2012 timeframe,  
21 correct?

22 A. Correct.



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1 testing in 2017 to actually test whether you  
2 retained that knowledge and could correctly  
3 yourself formally say: This is how to submit  
4 fingerprints to the FBI.

5 A. I can't recall, but others --

6 Others might. I was --

7 I was --

8 I was very busy during that time  
9 pertaining to this case, so I was in and out of  
10 my office a lot.

11 Q. 2017 is what you're talking about?

12 A. Correct.

13 Q. Okay. So just to close that loop,  
14 prior to your time at Holloman, during your  
15 time, entire time at Holloman Air Force Base in  
16 2011 and 2012, you did not receive any type of  
17 training similar to the 2017 training you  
18 received regarding how and when to submit  
19 fingerprints to the FBI CJIS Division. Is that  
20 correct?

21 A. Correct.

22 Q. Okay. Let me jump around a little



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1 prevent those people from getting dangerous  
2 weapons. That did you know that at the time?

3 A. Yes.

4 Q. Okay. And one of the reasons why we  
5 want to prevent dangerous people from getting  
6 dangerous weapons is to protect and keep the  
7 public safe. Is that fair?

8 MR. STERN: Objection.

9 THE WITNESS: Correct.

10 BY MR. ALSAFFAR:

11 Q. Okay. And if we don't properly  
12 track and submit fingerprints to the FBI of  
13 dangerous people to prevent them from gaining  
14 dangerous weapons, we're actually increasing  
15 the harm, the risk of harm to the public,  
16 aren't we?

17 MR. STERN: Objection.

18 BY MR. ALSAFFAR:

19 Q. You agree with that?

20 A. In my opinion that's correct, sir.

21 Q. I want to go back to --

22 Let me hand you Exhibit No. 1. This



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1 available, probably the better for the future  
2 investigations perhaps.

3 BY MR. ALSAFFAR:

4 Q. Yeah. And that's what I'm talking  
5 about, that the more information that the FBI  
6 has on specifically on dangerous felons  
7 specifically --

8 A. Uh-huh.

9 Q. -- the better decisions that the FBI  
10 can make in preventing individuals who  
11 shouldn't by law get firearms, from preventing  
12 those people from getting those firearms,  
13 correct?

14 MR. STERN: Objection.

15 THE WITNESS: It's my opinion that,  
16 yes, that's correct.

17 BY MR. ALSAFFAR:

18 Q. Okay. And when the Government fails  
19 to share that kind of data on dangerous felons  
20 to the FBI, they unnecessarily expose the  
21 public to an un --  
22 -- sort of an increased risk of gun



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1 violence, don't they?

2 MR. STERN: Objection. Form.

3 THE WITNESS: Yes.

4 BY MR. ALSAFFAR:

5 Q. Okay. Now, the --

6 By that same token -- I know this

7 might just seem obvious -- but by that same

8 token don't we decrease the risk of harm to the

9 public, the American public, by making it

10 harder for criminals to get guns?

11 MR. STERN: Objection.

12 BY MR. ALSAFFAR:

13 Q. Do you agree with that?

14 A. Let me see if I get this right.

15 Q. Sure.

16 A. You're saying we decrease the risk

17 to the public by making it harder for

18 federal --

19 -- like felony level convicted

20 people to have access? Yes.

21 Q. You agree with that?

22 A. Yes, I agree.



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CERTIFICATE OF NOTARY PUBLIC

I, Terry L. Bradley, the officer before whom the foregoing deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me in shorthand and thereafter reduced to computerized transcription under my direction; that said deposition is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of the action.



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Notary Public in and for  
the District of Columbia

My Commission expires: April 30, 2022